

Ohio final authorization to operate its hazardous waste program as revised. Ohio currently has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program and its amendments. Ohio also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA, and to take enforcement actions under sections 3008, 3013, and 7003 of RCRA.

D. Codification in Part 272

EPA incorporates by reference authorized State programs in Part 272 of 40 CFR to provide notice to the public of the scope of the authorized program in each State. Incorporation by reference of the Ohio program will be completed at a later date.

Compliance With Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of Section 6 of Executive Order 12866.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 4 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Ohio's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Paperwork Reduction Act

Under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006 and

7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, and 6974(b).

Dated: July 17, 1995.

David A. Ullrich,

Acting Regional Administrator.

[FR Doc. 95-18373 Filed 7-26-95; 8:45 am]

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48 CFR Parts 1501, 1503, 1504, 1505, 1506, 1509, 1512, 1513, 1514, 1515, 1516, 1519, 1520, 1522, 1524, 1525, 1530, 1531, 1532, 1533, 1536, 1545, 1546

[FRL-5264-7]

Acquisition Regulation; Removal of Obsolete and Unnecessary Regulations

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is removing sections of the EPA Acquisition Regulation (EPAAR) which are obsolete, confusing, or involve delegations or procedures internal to the Agency not required for inclusion in the EPAAR.

EFFECTIVE DATE: July 27, 1995.

FOR FURTHER INFORMATION CONTACT: Paul Schaffer at (202) 260-9032, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (Mail Code 3802F).

SUPPLEMENTARY INFORMATION:

A. Background

The President directed each agency to report by June 1, 1995, all Agency regulations which can be deleted because they are obsolete, confusing, or unenforceable. This effort is aimed at making all our regulations cleaner, cheaper, and smarter. This final rule eliminates numerous sections which are outdated or unnecessary. Additionally, this rule eliminates certain delegations and designations of authority covered elsewhere in internal Agency guidance.

In addition, EPA also plans to delete internal Agency procedures for incorporation into internal Agency guidance documents at a later date. These procedures are contained in the following sections:

EPAAR section	Title
1501.602-3	Ratifications.
1504.804-5	Detailed procedures for closing out contract files.
1506.371	Conduct of market surveys.
1509.170-1	Scope of subpart.
1509.170-2	Applicability.
1509.170-3	Purpose.

EPAAR section	Title
1509.170-4	Procedures.
1509-406	Procedures.
1509.407-3	Procedures.
1513.570	Oral purchase orders.
1517.201	Exercise of options.
1533.212	Contracting Officer's duties upon appeal.
1536.201	Evaluation of contractor performance.
1536.602-2	Establishment of evaluation boards.
1537.200	Scope of subpart.
1537.205	Management controls.
1542.700	Scope of subpart.
1542.705	Final indirect cost rates.
1542.705-1	Contracting Officer's determination procedure.

B. Executive Order 12866

This rule is not a significant regulatory action as defined in Executive Order 12866; therefore, no review is required at the Office of Information and Regulatory Affairs, within OMB.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not propose any information collection requirements which would require the approval of OMB under 44 U.S.C. 3501, et seq.

D. Regulatory Flexibility Act

This rule does not have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 et. seq.

E. Unfunded Mandates

This final rule does not impose unfunded mandates on state and local entities or others. It will make the internal Agency procurement process more efficient.

List of Subjects in 48 CFR Parts 1501, 1503, 1504, 1505, 1506, 1509, 1512, 1513, 1514, 1515, 1516, 1519, 1520, 1522, 1524, 1525, 1530, 1531, 1532, 1533, 1536, 1545, and 1546

Government procurement.

For the reasons set out in the preamble, Chapter 15 of Title 48 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Parts 1501, 1503, 1504, 1505, 1506, 1509, 1512, 1513, 1514, 1515, 1516, 1519, 1520, 1522, 1524, 1525, 1530, 1531, 1532, 1533, 1536, 1545, and 1546 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c).

2. Section 1501.101 is revised to read as follows:

1501.101 Purpose.

This subpart establishes Chapter 15, the Environmental Protection Agency Acquisition Regulation (EPAAR), within Title 48, the Federal Acquisition Regulations System.

3. In Section 1501.602-3, paragraph (c)(2) is revised to read as follows:

1501.602-3 Ratification of unauthorized commitments.

* * * * *

(c)(1) * * *

(2) For ratification actions which arise in regional offices or laboratory sites, the Chief of the Contracting Office to whom the activity functionally reports is the ratifying official.

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4. Section 1503.602 is revised to read as follows:

1503.602 Exceptions.

The Assistant Administrator for Administration and Resources Management may authorize an exception, in writing, to the policy in FAR 3.601 and 1503.601 for the reasons stated in FAR 3.602, if the exception would not involve a violation of 18 U.S.C. 203, 18 U.S.C. 205, 18 U.S.C. 207, 18 U.S.C. 208, or EPA regulations at 40 CFR part 3. The Assistant Administrator shall consult with the Designated Agency Ethics Official before authorizing any exceptions.

5. Section 1505.202 is revised to read as follows:

1505.202 Exceptions.

The Contracting Officer need not submit the notice required by FAR 5.201 when the Contracting Officer determines in writing that the contract is for the services of experts for use in preparing or prosecuting a civil or criminal action under the Superfund Amendments and Reauthorization Act of 1986.

6. Section 1515.608 is amended by removing paragraphs (b)(2) and (c)(2); by redesignating paragraph (b)(3) as (b)(2) and by revising paragraph (b) introductory text, by revising newly designated (b)(2) introductory text; and by redesignating paragraph (c)(1) as (c) introductory text and redesignating paragraphs (c)(1)(i), (ii) and (iii) as (c)(1), (2) and (3), respectively; and the title to paragraph (c) introductory text to read as follows:

1515.608 Proposal evaluation.

(a) * * *

(b) *Technical evaluation panel report of initial offers.* The TEP shall deliver their report to the Contracting Officer upon completion of the evaluation of initial offers.

(1) * * *

(2) The TEP report shall also include:
* * *

(c) *Technical evaluation panel report following the competitive range determination.* * * *

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7. Section 1532.102 is revised to read as follows:

1532.102 Description of contract financing methods.

Progress payments based on a percentage or stage of completion are authorized for use as a payment method under EPA contracts or subcontracts for construction and alteration or repair of buildings, structures, or other real property.

8. The following sections are removed:

EPAAR section	Title
1501.303	Codification and public participation.
1501.304	Agency control and compliance procedures.
1501.404	Class deviations.
1503.101-3	Agency regulations.
1503.103-2	Evaluating the certification.
1503.203	Reporting suspected violations of the gratuities clause.
1503.301	General.
1503.408-1	Responsibilities.
1503.409	Misrepresentations or violations of the covenant against contingent fees.
1503.502	Subcontractor kickbacks.
1503.603	Responsibilities of the Contracting Officer.
1505.270	Use of synopses to perform market surveys.
1505.401	General.
1505.502	Authority.
1506.202	Establishing or maintaining alternative sources.
1506.301	Policy.
1506.302	Circumstances Permitting other than full and open competition.
1506.302-1	Only one responsible source and no other supplies or services will satisfy agency requirements.
1506.303	Justifications.
1506.370	Limited competition.
1506.372	Class justification.
1509.105-2	Determinations and documentation.
1509.105-3	Disclosures of preaward information.
1509.506	Procedures.
1509.508	Examples.
1514.205-1	Establishment of lists.
1514.404-1	Cancellation of invitations after opening.
1514.406-3	Other mistakes disclosed before award.
1514.406-4	Mistakes after award.
1515.403	Solicitation mailing lists.
1515.610-70 ...	Limited discussions versus full negotiations.

EPAAR section	Title
1515.804-3	Exemptions from or waiver of submission of certified cost or pricing data.
1515.1003	Debriefings.
1519.602-1	Referral.
1520.102	Labor surplus area goals.
1520.303	Review of subcontracting program.
1522.103-4	Approvals.
1522.608-3	Protests against eligibility.
1522.608-4	Award upon final determination.
1522.608-6	Postaward.
1522.1003	Applicability.
1522.1306	Complaint procedures.
1522.1403	Waivers.
1522.1406	Complaint procedures.
1524.202	Policy.
1525.102	Policy.
1530.304	Waiver.
1531.101	Objectives.
1532.402	General.
1532.407	Interest.
1532.409-2	Recommendation for disapproval.
1532.412	Contract clause.
1533.209	Suspected fraudulent claims.
1533.211	Contracting Officer's decision.
1536.203	Government estimate of construction costs.
1536.602-4	Selection authority.
1536.602-5	Short Selection processes for contracts not to exceed \$10,000.
1536.604	Performance evaluation.
1536.605	Government estimate of architect-engineer work.
1545.403	Rental—Use and Charges clause.

Dated: July 10, 1995.

Acting Director, Office of Acquisition Management.

Jeanette L. Brown,

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 285**

[Docket No. 950426116-5184-02; I.D. 040495D]

RIN 0648-AG14

Atlantic Tuna Fisheries; Quotas and Permit Requirements

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS issues this final rule to revise the regulations governing the